

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Vol. I, Pages 1-213

Exhibits 1-47

AMRO FARID

vs.

23-cv-426-SM

TRUSTEES OF DARTMOUTH COLLEGE

DEPOSITION BY ZOOM OF ALEXIS ABRAMSON, a witness called on behalf of the Plaintiff, pursuant to the Rules of Civil Procedure, before Karen D. Pomeroy, Registered Diplomate Reporter and Licensed Court Reporter (No. 71) in and for the State of New Hampshire, at 20 Ledyard Lane, Hanover, New Hampshire, on Tuesday, March 25th, 2025, commencing at 10:01 a.m.

1 APPEARANCES:

2 JOSEPH L. SULMAN, ESQUIRE

3 Law Office of Joseph L. Sulman

4 255 Bear Hill Road, Suite 204

5 Waltham, Massachusetts 02451

6 For the Plaintiff

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9 STEPHEN ZAHARIAS, ESQUIRE

10 Devine Millimet

11 111 Amherst Street

12 Manchester, New Hampshire 03101

13 For the Defendant

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15

16 Also Present: Amro Farid

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12 *Denotes exhibits requested to be deemed confidential

13
14 The following page/line designations refer to
15 portions of testimony requested to be deemed
16 confidential:

17 21/18, 39/13, 40/3, 87/4, 103/22, 116/16, 118/3,
18 128/8, 131/14, 138/10, 182/5, 185/7, 188/14

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24 Exhibits Attached

1

STIPULATIONS

2 It is stipulated by and between counsel for
3 the respective parties that the deposition
4 transcript is to be read and signed by the
5 deponent under the pains and penalties of
6 perjury; and that the sealing and filing thereof
7 are waived; and that all objections, except as to
8 form, and motions to strike are reserved until
9 the time of trial; and that the witness may be
10 sworn remotely.

11

* * *

12 MR. ZAHARIAS: Joe, before we start, I just
13 want to make sure that we're agreeing on the same
14 stipulations that we had with respect to
15 Professor Farid's deposition.

16

MR. SULMAN: Yes. I was going to say that.

17

The parties have agreed to certain
18 stipulations not only for Professor Farid's but
19 for all -- well, actually, not for
20 Professor Farid's, because that was in person
21 actually.

22

We're going with the stipulations that we've
23 used for all of the Zoom depositions, which is
24 that the -- the witness will have 30 days to read

1 and sign, we'll waive the notary and agree that
2 we'll assume that the notary is -- as if it was
3 sworn, and we -- we agree that the witness --
4 both parties agree that the witness can be sworn
5 remotely and the -- and the -- we'll agree that
6 all objections except to form and motions to
7 strike will be reserved until the time of trial.

8 Is that agreeable?

9 MR. ZAHARIAS: Yes.

10 MR. SULMAN: Okay.

11 ALEXIS ABRAMSON,
12 having been duly remotely sworn by the
13 reporter, was deposed and testified as
14 follows:

15 EXAMINATION

16 BY MR. SULMAN:

17 Q. Good morning. Can you state your name for the
18 record.

19 A. Alexis Abramson.

20 Q. Okay. And, Ms. Abramson, where are you located
21 right now?

22 A. In Hanover, New Hampshire.

23 Q. Okay. Are you at the -- are you at Dartmouth's
24 location?

1 Q. Well, what I'm saying is is there a standard
2 definition, or is what you're saying what you
3 believe to be the generally accepted
4 definition?

5 MR. ZAHARIAS: Objection. Form.

6 A. I don't know if there's a standard definition; so
7 I suppose I would say it's what I believe to be
8 a -- the definition given my experience in the
9 field.

10 BY MR. SULMAN:

11 Q. Well, let me ask you about some examples.

12 Is an NSF EAGER grant a competitively awarded
13 grant?

14 A. My understanding is that doesn't go through a
15 solicitation process nor a peer review; so no.

16 Q. And why -- what is that understanding based on?

17 A. My experience as an academic for 25 years.

18 Q. Have you talked to anyone at NSF that told you
19 that EAGER grants don't go through competitive --
20 don't go through peer review?

21 A. Yes, I actually had an EAGER grant early on in my
22 career. It did not go through competitive
23 review.

24 That's my understanding that an EAGER grant

1 does not. I don't know if that's written down,
2 but obviously I learned that somewhere along the
3 way.

4 Q. What about NSF CAREER grant?

5 A. Yes. That's a solicitation, and it goes through
6 a peer review; so that would be a competitively
7 awarded grant.

8 Q. So the fact that there's a solicitation is what
9 makes it be peer review?

10 A. There could be solicitations at some agencies
11 that don't have peer reviews, but most of the
12 time, yes, a solicitation also includes a peer
13 review, which then leads to the awarding.

14 Q. I guess what I'm wondering is can't there be peer
15 review without solicitation?

16 A. I suppose that could happen too if a program
17 officer decided to send a proposal that didn't
18 come through a solicitation out for review by
19 some people.

20 I think a program officer could choose to do
21 that.

22 Q. And do all NSF EAGER grants not have -- not go
23 through solicitations?

24 A. I think you'd have to ask NSF for the specifics

1 around how they always or sometimes run those
2 processes.

3 Q. So your NSF EAGER grant did not go through a
4 solicitation?

5 A. Mine did not go through a solicitation; as far as
6 I know, did not go through a peer review, but I'm
7 also basing it on multitudes of conversations
8 I've had with program officers or other faculty
9 researchers about NSF EAGER grants.

10 Q. Okay. Were you aware that Professor Amro Farid
11 had an NSF EAGER grant?

12 A. I did not know that, I believe, until the faculty
13 discussion during his tenure-review case.

14 Q. Okay. And did you split -- did you -- did you do
15 a --

16 A. Or around that time, I should say.

17 Q. Did you do an inquiry to look at whether or not
18 there was a solicitation associated with his
19 grant?

20 A. Sorry. Can you say that again.

21 Q. Did you do any inquiry or research to determine
22 whether or not there was a solicitation with his
23 EAGER grant?

24 A. So after it was brought to my attention, I looked

1 it up and noticed it was an EAGER grant. I
2 didn't know that at the time. I thought it was a
3 regular NSF grant. I did not investigate further
4 to find out if there was a solicitation because I
5 assumed there was not.

6 Q. Okay. So did you believe that that grant was not
7 competitively funded?

8 A. That's right.

9 Q. And is it your recollection that you had this
10 conversation with Professor Farid about the
11 different types of funding as part of his
12 supplemental review in 2020?

13 A. Yes.

14 Q. Okay.

15 A. I don't think we specifically touched on NSF
16 EAGER grants, but yes.

17 Q. I've sent you Exhibit 15 in your deposition. Let
18 me know when you have it open.

19 A. Okay.

20 Q. Okay. This is an email exchange between you and
21 Professor Farid on June 19th, 2020.

22 Could you read it to yourself, please.

23 A. Okay. Okay.

24 Q. And you say -- you first say it's good to speak

1 Professor Farid dated February 14th, 2022.

2 I just want you to turn your attention to
3 page 16 of the PDF. It has page 11 on the actual
4 document on the bottom.

5 Let me know when you're there.

6 A. Okay. I'm on page 16.

7 Q. Okay. Is that your signature next to the signed
8 and dated February 11th, 2022?

9 A. It looks like my signature.

10 Q. Okay. Do you recall signing a response to
11 charges of discrimination brought by
12 Professor Farid at the New Hampshire Commission
13 for Human Rights?

14 A. I do recall this under advisement of counsel;
15 walking through this and then signing this
16 document.

17 Q. Okay. Thank you. Can you turn to paragraph
18 33 -- I'm sorry. Paragraph 23, which is on page
19 58 of the document; page 10 of the PDF.

20 A. Yes.

21 Q. Are you there?

22 A. Yes.

23 Q. Okay. This document says Respondent admits that
24 Professor Farid discussed his tenure case with

1 Associate Dean Laura Ray and Dean Alexis Abramson
2 in the Spring of 2020, around the end of the
3 academic year; correct?

4 A. Yes.

5 Q. Okay. And the third sentence, can you read the
6 third sentence, please.

7 A. Respondent denies? That sentence?

8 Q. Yes.

9 A. Respondent denies that complainant was encouraged
10 to submit his dossier for consideration for
11 tenure, but admits that Dean Abramson indicated
12 that she believed that complainant had a strong
13 tenure case during these discussions, prior to
14 learning about weaknesses in his application that
15 were not apparent at the time.

16 Q. Thank you. And you didn't ask anyone to make
17 changes to that paragraph when it was written;
18 did you?

19 MR. ZAHARIAS: Objection to the extent that
20 the question seeks any privileged communications.

21 A. No.

22 BY MR. SULMAN:

23 Q. Okay. When -- as of July 2020, did you know that
24 Professor Farid had two more years on his tenure

1 track?

2 A. Yes, I believe I did.

3 Q. Okay. Did you have any discussions with
4 Professor Farid about the tenure process and what
5 would happen if he was denied tenure?

6 A. I don't recall if I went -- I'm sure we talked
7 about the tenure process. I don't recall the
8 specifics.

9 Q. So just -- and I just need to -- if you don't
10 recall, you don't recall it.

11 Can you say whether or not you advised
12 Professor Farid that if he was denied tenure, he
13 would enter his terminal year?

14 A. I don't recall.

15 Q. Do you know sitting here today whether Laura Ray
16 advised Professor Farid of that fact?

17 A. You'd have to ask her.

18 Q. I just sent you Exhibit 18. Let me know when you
19 have it.

20 A. Okay. It's open.

21 Q. Okay. Do you recognize this as Professor Farid's
22 research statement?

23 A. I can't say that I recognize it. It's been a
24 while since I reviewed it.

1 meetings when we talked about his research
2 funding and the type of proposals he should be
3 submitting and things like that; so I do recall
4 having those conversations with him.

5 I didn't realize the specifics around like
6 the NSF EAGER grant or what the CRREL grant
7 really meant until, you know, this discussion in
8 large part.

9 Q. So this discussion was the first time you
10 realized that the CRREL grant wasn't competitive?

11 A. No, I'm not saying that. I think there were some
12 things that were said during the discussion that
13 helped me see it in a different way, but I'm not
14 saying I didn't understand what it was. I did.

15 But that's the purpose of the discussion is
16 to hear other people's views and to -- they --
17 you know, so you're not just limited by your own.

18 So I'm just saying the discussion sort of
19 opened up a different perspective for me.

20 Q. What specifically in this discussion opened up
21 you to things that you did not realize before
22 about Professor Farid's research funding?

23 A. Well, one thing the -- probably the most
24 prominent thing was the missing EAGER label on

1 the NSF grant and how it was unfortunate that
2 that wasn't included on his CV.

3 Q. Anything else?

4 A. I mean, I'd have to go back and reread all the
5 minutes to see if I could jog my memory. I think
6 it's just hard for me to remember.

7 Q. Well, you know, Exhibit 30's in front of you now;
8 so if you want, you can take your time to read
9 the minutes. There's three or four pages of
10 minutes.

11 A. Okay. You'd like me to read that? Take the time
12 to do that?

13 Q. Yeah.

14 A. Okay.

15 Q. Again, just let me know when you're done.

16 A. Okay. Can you ask the question again then.

17 Q. Yes. So what comment, if any, during the faculty
18 discussion on Amro Farid's tenure case caused you
19 to re-evaluate your understanding of his funding
20 record?

21 A. So I don't know that I -- I fully re-evaluated
22 his funding record.

23 I mean, I had -- I felt it was strong with
24 reservations, and so that -- I think I still

1 had -- I would say the NSF EAGER, pointing that
2 out, I do recall that being a surprise when I
3 didn't know, and so I would say that was the most
4 significant new piece of information.

5 I think John Zhang's comment about -- he was
6 an NSF program manager, also kind of influenced,
7 you know, my thoughts on -- on -- he also agreed
8 that there should be more competitively awarded
9 peer-reviewed kind of proposals; so I think I
10 could just speak to that in that way in
11 particular.

12 One thing I'll say is I guess I hadn't
13 quantified the amount in a way that some of the
14 faculty were presenting it.

15 Q. I'm sending you what is marked as Exhibit 32.
16 Let me know when you have it open.

17 A. Okay. It's open.

18 Q. Exhibit 32 is a May 11th, 2021, letter from
19 Professor Farid to yourself where he says he'd
20 like to thank you for making use of the 2021
21 tenure review meeting to discuss external funding
22 over the last six years.

23 A. Hm-hmm. Yes.

24 Q. Do you recall meeting with him to discuss

1 Did you believe that he tried to conceal
2 something?

3 A. Well, that was part of the faculty discussion was
4 around the fact that why didn't he include it on
5 his CV was the question.

6 Q. Well, you say "it." What is the "it" you're
7 saying --

8 A. The word EAGER.

9 Q. And why is that word EAGER significant?

10 A. Because most people who are familiar with NSF
11 funding would know that an EAGER grant is not
12 competitively awarded.

13 Q. So it's your -- it's your belief that, as a
14 general matter of practice, NSF EAGER grants are
15 not competitively awarded?

16 A. That's correct.

17 MR. ZAHARIAS: Objection.

18 BY MR. SULMAN:

19 Q. Okay. Okay. In the third paragraph here that
20 begins Beyond the CRREL funding, he writes here
21 Beyond the CRREL funding, I have shown -- I have
22 also shown an ability to compete head to head
23 with peers and win. For example, my project
24 entitled "SSDIM: Synthetic and Simulated Data